

U.S.A.

**DECLARATION, POWER OF ATTORNEY AND PETITION  
FOR CONTINUATION-IN-PART PATENT APPLICATION**

WE, Michael OETTEL, Ludwig WILD, Peter LICHT, Joachim NEUWINGER, Wolfgang HUMMEL, Ralph DITTRICH, declare that we are citizens of Germany having places of residence and post office addresses at Beethovenstrasse 30, 07743 Jena, Germany; Haundorfer Strasse 2b, 91974 Herzogenaurach-Haundorf, Germany; Dompfaffstrasse 25, 91088 Bubenreuth, Germany; Spardorfer Strasse 75, 91054 Erlangen, Germany; Buchenstrasse 15, 97339 Neuenmarkt, Germany; Donato-Polli-Strasse 56, 91056 Erlangen, Germany, respectively and that WE have read the foregoing specification and claims and WE verily believe that WE are the original joint inventors of the invention or discovery in PHARMACEUTICAL PREPARATIONS FOR TREATING SIDE EFFECTS DURING AND/OR AFTER GnRHa THERAPY described and claimed therein; that this application in part discloses subject matter disclosed in our earlier filed pending application Serial No. 09/891,722, filed 06/26/2001 which is a Continuation-in-Part of Serial no.: 09/291,385 filed April 14, 1999; that as to the subject matter of this application which is common to said earlier application, WE do not know and do not believe that the same was ever known or used in the United States before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to said earlier filed application, or in public use or on sale in the United States more than one year prior to said earlier filed application; that WE have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in the declaration; that said common subject matter has not been patented or made the subject of an inventor's certificate before the date of said earlier filed application in any country foreign to the United States on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier filed application; that WE acknowledge a duty to disclose all information of which WE are aware which is material to the patentability of this application in accordance with 37 C.F.R. 1.56, and WE specifically acknowledge a duty to disclose material information as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the date of filing of the Continuation-in-Part application; and that no application for patent or inventor's certificate for said common subject matter has been filed by us or our representatives or assigns, except as follows:

US Provisional Patent Application Ser. No.: 60/081,791 filed on April 15, 1998 priority of which is hereby claimed

that as to the subject matter of this application which is not common to said earlier filed application, WE do not know and do not believe that the same was ever known or used in the United States before our invention thereof, or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States for more than one year prior to this application; that WE have reviewed and understand that contents of the specification, including the claims, as amended by any amendment specifically referred to in the declaration; that said not-common subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by us or our legal representatives or assigns more than twelve months prior to this application; that WE acknowledge a duty to disclose all information of which WE are aware which is material to the patentability of this application in accordance with 37 C.F.R. 1.56, and WE specifically acknowledge a duty to disclose material

information as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the date of filing of the Continuation-in-Part application; and that no application for patent or inventor's certificate on said not-common subject matter has been filed by us or our representatives or assigns, except as follows:

US Provisional Patent Application Ser. No.: 60/081,791 filed on April 15, 1998 priority of which is hereby claimed

The undersigned petitioner(s) acknowledge(s) a duty to disclose information of which WE are aware which is material to the examination of this application in accordance with C.F.R. 1.56; and declare(s) further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

And WE hereby appoint MICHAEL J. STRIKER, Reg. No. 27233, of 103 East Neck Road, Huntington, New York 11743, tel. (631) 549 4700, our attorney, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith.

Correspondence is to be addressed to STRIKER, STRIKER & STENBY, 103 East Neck Road, Huntington, New York 11743.

Wherefore WE pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and hereby subscribe our name to the foregoing specification and claims, Declaration, Power of Attorney, and this petition.

Dated: \_\_\_\_\_  
Signature  
Michael OETTEL

Dated: \_\_\_\_\_  
Signature  
Ludwig WILDT

Dated: \_\_\_\_\_  
Signature  
Peter LICHT

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature  
Joachim NEUWINGER

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature  
Wolfgang HUMMEL

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature  
Ralph DITTRICH